

REMARKS

Claims 26-34 were pending in the application at the time of examination. Claims 26-29 stand rejected as being anticipated by Nguyen. Claims 30-34 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In this Amendment, Applicant has amended the description to correct obvious typographical errors.

Claim 26 has been cancelled without prejudice. Claims 27 and 30 have been amended to be in independent form and to include the features of the base claim and any intervening claims. Claim 29 has been amended to depend from Claim 27.

New Claims 38-41 have been added. Support for Claims 38-41 appears in the specification at least at page 14, line 30 to page 17, line 32 and in figures 11, 12, 13, 14, and 15.

Claims 27-29 are novel over Nguyen

As to Claim 27, the Examiner states:

... Nguyen discloses a structure comprising a retaining bracket (12-figure 2, column 3, lines 33-34) as shown in figures 1-2 wherein said body (20) comprises: a first and second arms (**lateral bars of central portion body 20**); a plurality of rails along lengths of said first arm and said second arm, said rails providing strength and rigidity to said first arm and said second arm; and a **support beam (lateral bar between first and second arms)**, said first arm, said second arm, and said support beam being integrally attached together at said first end and said second end of said body (see figure 2). (Office Action, page 3, emphasis added and in original.)

The Examiner's statement is respectfully traversed. With regards to the "body (20)" as asserted by the Examiner, Nguyen teaches:

... the main disk support bracket 12 includes a generally planar rectangular-shaped central portion 20 disposed

between first and second end column support portions 22, 24. Central portion 20 includes four symmetrically disposed stamped-out rectangular holes 26A, 26B, 26C, 26D **serially aligned along the longer dimension.**
(Column 3, lines 33-38, emphasis added.)

Applicant assumes for the purpose of argument that the Examiner is referring to the structures of the central portion 20 perpendicular to the longer dimension of the central portion 20 and between the rectangular holes 26A, 26B, 26C, 26D as the "support beam". Applicant notes that these structures do not extend to the first and second end column support portions 22, 24. Accordingly, the Examiner has failed to call out where Nguyen teaches or suggest that "said first arm, said second arm, and said support beam **being integrally attached together** at said first end and said second end of said body" (emphasis added) as asserted by the Examiner.

For at least the above reasons, Nguyen does not teach or suggest:

A structure comprising a retaining bracket, said retaining bracket comprising:

a body comprising:

a first arm;
a second arm; and
a support beam;

a first extension attached to a first end of said body, said first extension comprising a mounting aperture; and

a second extension, a first end of said second extension attached to a second end of said body, a second end of said second extension including a first protrusion and a second protrusion, **wherein said first arm, said second arm, and said support beam are integrally attached together at said first end and said second end of said body,**

as recited in amended Claim 27, emphasis added. Accordingly, Claim 27 is allowable over Nguyen. Claims 28-29, and new Claims 40, 41, which depend from Claim 27, are allowable for at least the same reasons as Claim 27.

For the above reasons, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Allowable subject matter.

Claim 30 has been amended to be in independent form and to include the features of the base claim and any intervening claims. Accordingly, Claim 30 is allowable. Claims 31-34, and new Claims 38-39, which depend from Claim 30, are allowable for at least the same reasons as Claim 30.

CONCLUSION

Claims 27-34, 38-41 are pending in the application. For the foregoing reasons, Applicant respectfully requests allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on April 30, 2002.

Attorney for Applicant(s)

April 30, 2002
Date of Signature

Respectfully submitted,

Serge J. Hodgson
Attorney for Applicant(s)
Reg. No. 40,017
(831) 655-0880

**GUNNISON, MCKAY &
HODGSON, L.L.P.**
Garden West Office Plaza, Suite 220
1900 Garden Road
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888